

JS 44 (Rev. 12/07, NJ 5/08)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

<b>I. (a) PLAINTIFFS</b> MARIE PEZAK  (b) County of Residence of First Listed Plaintiff _____  (c) Attorney's (Firm Name, Address, Telephone Number and Email Address)  Craig Thor Kimmel, Esquire Kimmel & Silverman, P.C. 30 E. Butler Pike Ambler, PA 19002 (215) 540-8888	<b>DEFENDANTS</b> MIRAMED REVENUE GROUP, LLC  County of Residence of First Listed Defendant _____  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.  Attorneys (If Known) _____																								
<b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant) (For Diversity Cases Only) <table style="width: 100%;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

**V. ORIGIN** (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify) _____	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment
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**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
 15 U.S.C. § 1692

Brief description of cause:  
 Fair Debt Collection Practices Act

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ \_\_\_\_\_

CHECK YES only if demanded in complaint:  
 JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S)** (See instructions):

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Explanation:

DATE \_\_\_\_\_ SIGNATURE OF ATTORNEY OF RECORD \_\_\_\_\_

06/25/2013

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

MARIE PEZAK	:	
	:	
v.	:	CIVIL ACTION
	:	
MIRAMED REVENUE GROUP, LLC	:	NO.
	:	

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. (X)
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ( )

06/25/2013  
Date

Craig Thor Kimmel  
Attorney-at-law

Plaintiff, Marie Pezak  
Attorney for

215-540-8888  
Telephone

877-788-2864  
FAX Number

kimmel@creditlaw.com  
E-Mail Address

## UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 1832 Bridgetown Pike, Feasterville, PA 19053

Address of Defendant: 991 Oak Creek Dr., Lombard, IL 60148

Place of Accident, Incident or Transaction: \_\_\_\_\_  
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?  
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities? Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: \_\_\_\_\_ Judge \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?  
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases  
(Please specify) 15 U.S.C. § 1692

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify) \_\_\_\_\_

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Craig Thor Kimmel, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: 06/25/2013

\_\_\_\_\_  
Attorney-at-Law

57100

\_\_\_\_\_  
Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 06/25/2013

\_\_\_\_\_  
Attorney-at-Law

57100

\_\_\_\_\_  
Attorney I.D.#

MARIE PEZAK (“Plaintiff”), by and through her attorneys, KIMMEL & SILVERMAN, P.C., alleges the following against MIRAMED REVENUE GROUP, LLC (“Defendant”):

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

2. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy,” and 28 U.S.C. §1331 grants this court original jurisdiction of all civil actions arising under the laws of the United States.

1       3. Defendant conducts business in the Commonwealth of Pennsylvania;  
2 therefore, personal jurisdiction is established.

3  
4       4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

5                                   **PARTIES**

6       5. Plaintiff is a natural person residing in Feasterville, Pennsylvania  
7 19053.

8  
9       6. Plaintiff is a person granted a cause of action under the FDCPA. See  
10 15 U.S.C. § 1692k(a) and Wenrich v. Cole, 2000 U.S. Dist. LEXIS 18687 (E.D.  
11 Pa. Dec. 22, 2000).

12       7. Defendant is a debt collection company with its principal office  
13 located at 991 Oak Creek Drive, Lombard, Illinois 60148.

14  
15       8. Defendant is a “debt collector” as that term is defined by 15 U.S.C.  
16 §1692a(6), and repeatedly contacted Plaintiff in its attempts to collect a consumer  
17 debt.

18  
19       9. Defendant acted through its agents, employees, officers, members,  
20 directors, heirs, successors, assigns, principals, trustees, sureties, subrogees,  
21 representatives, and insurers.

22                                   **FACTUAL ALLEGATIONS**

23  
24       10. At all pertinent times hereto, Defendant was hired to collect a  
25 consumer debt and contacted Plaintiff in its attempts to collect that debt.

1           11. Upon information and belief, the debt that Defendant was attempting  
2 to collect arose out of transactions that were primarily for personal, family, or  
3 household purposes.  
4

5           12. Plaintiff does not owe the debt that Defendant was attempting to  
6 collect.  
7

8           13. Beginning in May 2013, and continuing through June 2013,  
9 Defendant repeatedly and continuously called Plaintiff on her home telephone in  
10 an attempt to collect a consumer debt.

11           14. Defendant called Plaintiff at least once a day. For example,  
12 Defendant called Plaintiff once on June 3, 2013; once on June 4, 2013; and once  
13 on June 5, 2013.  
14

15           15. Defendant attempted in those calls to collect a debt of an individual  
16 with the name of "Kelly M. Giordano."  
17

18           16. Plaintiff's is not "Kelly M. Giordano" and an individual by that  
19 name does not reside with her.

20           17. On June 4, 2013, Plaintiff spoke with several of Defendant's  
21 collectors to inform them that she is not "Kelly M. Giordano," no one by that last  
22 name lives at the called number, and to stop calling her.  
23

24           18. Defendant deceptively claimed it would remove her telephone  
25 number from its database; however, Defendant did not do so.

1           19. Further, Defendant failed to investigate the information and/or  
2 update its records to avoid the further harassment of Plaintiff.

3           20. Moreover, Defendant did not possess any information to contradict  
4 Plaintiff's statements.

5           21. Rather, Defendant persisted in calling Plaintiff about a debt of a  
6 person named "Kelly M. Giordano."  
7

8           22. Specifically, Defendant called Plaintiff on June 5, 2013; June 7,  
9 2013; and June 8, 2013.

10           23. In addition to repeatedly calling, Defendant would leave messages  
11 on Plaintiff's home answering machine stating that, "This is an important  
12 message for Kelly M. Giordano. If you are Kelly M. Giordano, please press  
13 1...this is MiraMed Revenue Group...please reference id code no. 11089684 and  
14 call (866) 910-3116" (*sic*).  
15  
16

17           24. Plaintiff received approximately six (6) or seven (7) voicemail  
18 messages in addition to the daily calls.  
19

20           25. Defendant called Plaintiff on a repetitive and continuous basis with  
21 the intent of harassing, knowing Plaintiff was not the correct person it sought.  
22

23           26. By continuously calling over a debt she did not owe, and failing to  
24 update its records to avoid the further harassment of Plaintiff, Defendant engaged  
25 in conduct which as the natural consequences of harassing the recipient.

1        27. Upon information and belief, information was readily available to  
2 Defendant, and/or was available in the public domain, that the number it was  
3 calling belonged to Plaintiff and/or was associated with Plaintiff's home address.  
4

5        28. Defendant knew, or should have known, that it was calling Plaintiff  
6 in error in its attempts to collect the debt of another person, but continued to do  
7 so, with the intent to disrupt Plaintiff's solitude solely for the purpose of  
8 annoying, abusing and harassing Plaintiff.  
9

10       29. The repetitive calls to Plaintiff were harassing, aggravating and  
11 highly annoying.  
12

13       30. Plaintiff has spent time and effort dealing with these calls and trying  
14 to stop the collection calls to her for another person.  
15

16                    **DEFENDANT VIOLATED THE**  
17                    **FAIR DEBT COLLECTION PRACTICES ACT**

18                    **COUNT I**

19       31. Defendant's conduct, detailed in the preceding paragraphs, violated  
20 15 U.S.C. § 1692b(3).  
21

- 22           a. Section 1692b(3) of the FDCPA prohibits a debt collector from  
23           communicating with any person other than a consumer more than  
24           once unless requested to do so by such person or unless the debt  
25           collector reasonably believes that the earlier response of such



1 person is erroneous or incomplete and that such person now has  
2 correct or complete location information.

3 b. Here, Defendant violated §1692b(3) of the FDCPA by  
4 communicating with Plaintiff more than once about another  
5 person's debt, despite having been notified that it was calling the  
6 wrong person.  
7

8  
9 **COUNT II**

10 32. Defendant's conduct, as detailed in the preceding paragraphs,  
11 violated 15 U.S.C. §1692c(a)(1).

12 a. A debt collector violates §1692c(a)(1) of the FDCPA by  
13 communicating with the consumer at any unusual time or place or  
14 a time or place known or which should be known to be  
15 inconvenient to the consumer, including communication between  
16 a debt collector and consumer prior to 8:00 a.m. or after 9:00 p.m.  
17

18 b. Here, Defendant violated §1692c(a)(1) of the FDCPA by placing  
19 numerous collection calls to Plaintiff at her home residence about  
20 another individual's debt, which was an inconvenient place for  
21 Plaintiff to receive collection calls for another individual.  
22  
23  
24  
25

**COUNT III**

33. Defendant's conduct, as detailed in the preceding paragraphs, violated 15 U.S.C. §1692d.

a. A debt collector violates §1692d of the FDCPA by engaging in conduct of the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt.

b. Here, Defendant violated §1692d of the FDCPA by calling Plaintiff's repeatedly and continuously about another person's debt with the intent to annoy, abuse, and harass Plaintiff into paying the debt.

**COUNT IV**

34. Defendant's conduct, as detailed in the preceding paragraphs, violated 15 U.S.C. §1692f.

a. A debt collector violates §1692f of the FDCPA by using unfair or unconscionable means to collect or attempt to collect any debt.

a. Here, Defendant violated §1692f of the FDCPA by failing to update its records to stop the collection calls to Plaintiff.

WHEREFORE, Plaintiff, MARIE PEZAK, respectfully prays for a judgment as follows:

- 1 a. All actual damages suffered pursuant to 15 U.S.C. § 1692k(a)(1)  
2 and Pennsylvania common law;  
3  
4 b. Statutory damages of \$1,000.00 for the violation of the FDCPA  
5 pursuant to 15 U.S.C. § 1692k(a)(2)(A);  
6  
7 c. All reasonable attorneys' fees, witness fees, court costs and other  
8 litigation costs incurred by Plaintiff pursuant to 15 U.S.C. §  
9 1693k(a)(3); and  
10  
11 d. Any other relief deemed appropriate by this Honorable Court.

12 **DEMAND FOR JURY TRIAL**

13 PLEASE TAKE NOTICE that Plaintiff, MARIE PEZAK, demands a jury  
14 trial in this case.

15  
16 DATED: 06-25-13

15 RESPECTFULLY SUBMITTED,

16 KIMMEL & SILVERMAN, P.C.

17 By: \_\_\_\_\_

18 Craig Thor Kimmel

19 Attorney ID # 57100

20 Kimmel & Silverman, P.C.

21 30 E. Butler Pike

22 Ambler, PA 19002

23 Phone: (215) 540-8888

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25 Email: [kimmel@creditlaw.com](mailto:kimmel@creditlaw.com)